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RUEHMN/AMEMBASSY MONTEVIDEO 0216  
RUEHSA/AMEMBASSY PRETORIA 1813  
RUEHSG/AMEMBASSY SANTIAGO 2407  
RUEHMT/AMCONSUL MONTREAL 0312  
RUEHQU/AMCONSUL QUEBEC 1238  
RUEATRS/DEPT OF TREASURY WASHDC  
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C O N F I D E N T I A L SECTION 01 OF 02 PORT AU PRINCE 001235

SIPDIS

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TREASURY FOR MAUREEN WAFER

E.O. 12958: DECL: 09/02/2018

TAGS: PGOV PREL HA

SUBJECT: HAITI'S PRIME MINISTER CONFIRMED BY LOWER HOUSE,  
FACES HURDLES IN SENATE

REF: A) PORT AU PRINCE 1217 B) PORT AU PRINCE 1208

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Classified By: Ambassador Janet A. Sanderson. Reason: E.O. 12958 1.4  
(b), (d)

¶1. (U) Summary: The Chamber of Deputies overwhelmingly approved the general policy statement of Prime Minister Michele Pierre-Louis on August 29. Her confirmation in the Senate faces opposition. Nine Senators insist that President Preval withdraw the official decree appointing the government, since that government has yet to be approved by the parliament, before they can vote for the Pierre-Louis government. The Senate session to vote on Pierre-Louis' government scheduled for September 2 has been put off. The President told the Ambassador September 2 that he failed to reach agreement with Senators over the issue. If the Senate does not approve Pierre-Louis government by the end of the week, he promised to formally install that government in office anyway. End summary.

¶2. (U) By a vote of 70 to 1, with 8 abstentions, the Chamber of Deputies approved the general policy statement of Michele Pierre-Louis the night of August 29. After reading her 31-page statement laying out her government's policy guidelines, she listened as deputies vented vehemently about the government's need to address Haiti's challenges, such as unemployment, hunger, sagging food production, food inflation, and unaffordable school fees. She responded confidently, succinctly and politely to all questions. Michele Pierre-Louis confirmed that her government is not yet in office, and will not be official until her policy statement is approved by both chambers of Parliament.

¶3. (U) That very issue has held up the Senate's consideration of Pierre-Louis' government. Nine Senators wrote President Preval August 28 demanding that he rescind his August 24 decrees appointing the Pierre-Louis government, asserting that appointing a government not yet confirmed by parliament is unconstitutional. A September 1 meeting of President Preval with several political party leaders and three Senators who spearheaded the August 28 letter to Preval -- Rudy Heriveaux (Fanmis Lavalas), Yourie Latortue (Artibonite

in Action), and Evaliere Beauplan (Pont) -- produced no agreement. Senators and party leaders who were not in the meeting tell us that Senators insisted Preval rescind the decrees, while Preval insisted the Senators withdraw the accusation that he acted unconstitutionally. Those same sources said Preval promised that the Pierre-Louis government would continue to conduct current business until either the Senate confirms the government or a new Prime Minister is nominated.

¶4. (U) President Preval agreed to meet with additional Senators behind the August 28 letter to try to find a solution. A Senate session to receive the Pierre-Louis government and vote on her policy declaration scheduled for September 2 has been put off. The Senate is meeting in special session September 2 to debate the Presidential appointment decrees and when to schedule the session to confirm the new government.

¶5. (C) President Preval confirmed to the Ambassador September 2 that the meeting with Senators and party leaders the previous day had gone badly. Senators tried to lecture him about the constitution. Preval retorted that the constitution is clear: each house of the legislature votes to confirm the Prime Minister and the government's policy declaration, but not the composition of the cabinet. If the Senate did not confirm Pierre-Louis' policy declaration by the end of the week, he would officially "install" the government in office, and it would assume all government functions. When the Ambassador cautioned that such a government would find it impossible to pass legislation, including the crucial upcoming budget, Preval countered that elections for one-third of the Senate would change the composition of that body and help solve the problem.

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Ambassador strongly urged Preval to continue to seek some type of common ground, perhaps in conjunction with Senate President Bastien. In the meantime, we will continue to encourage senators to do the same.

¶6. (C) Comment: Preval pointed correctly to the ulterior motive for some of the nine Senators' holding up the Pierre-Louis confirmation: after being shut out of ministerial positions, the hope to blackmail their way into key positions in money-generating agencies. Michele Pierre-Louis has confirmed to the Ambassador (and MINUSTAH reports that Senators Heriveaux, Latortue and Beauplan confirmed to them) that these three Senators are holding out for Director General appointments for their allies in the National Port Authority, Customs, Haiti's equivalent of the Social Security Administration, and the national airport. MINUSTAH reports that Heriveaux admitted outright to MINUSTAH officials that their parties needed a part of the money generated by these state operations to finance their operations and remain politically viable.

¶7. (C) Comment continued: Nevertheless, Preval handed these Senators a pretext on a platter. A growing body of opinion outside the Executive Branch thinks that President Preval's August 24 decrees (ref A) probably violate the constitution, but at the very least unnecessarily provoked the Senate. Some Senators other than the nine who signed the August 24 letter believe Preval erred in appointing the government prematurely, but are unwilling to hold up confirming the new government over the issue. When Hurricane Hanna has begun to flood large parts of Haiti (including the district of dissident Senator Latortue) barely days after damage assessment of Hurricane Gustav began, when Haiti needs a government more than ever, the country's political classes continue to wrangle over narrow partisan interests. Some opposition to those decrees comes from genuine concern over respecting the constitution. Some, however, arises from a desire of certain actors to grab a bigger piece of the corruption pie in Haiti. In any case, a government lacking parliamentary confirmation could bring political instability

in Haiti to a new level.  
SANDERSON